9 Patrolmen Charged In 3 Rights Killings

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The Justice Department, frustrated by a grand jury's inaction in the mass shootings of Negro students at Orangeburg, S.C., last February, filed criminal charges yesterday against nine state highway patrolmen.

Filing of the cirminal charges in Federal Court at Columbia was the Department's response to a grand jury's failure to indict the officers after a one-week investigation that ended Nov. 7.

Attorney General Ramsey Clark and other Government lawyers were known to have been shocked by the grand jury's handling of the investigation into the killing of three Negro students at South Carolina State College and the wounding of 27 others on Feb. 8.

Under 1870 Statute

The officers, who were summoned for a court appearance Jan. 20, face a maximum penalty of one year in prison and $1000 fine if convicted of violating an 1870 misdemeanor statue that prohibits state officials from depriving citizens of Federal rights.

Congress increased the law's penalty in April, too late for application to the February incident, to life imprisonment in a section of the 1968 civil rights act.

The shootings occurred during an unruly demonstration on the college campus after Negroes had protested segregation at nearby bowling alley. The Justice Department has since obtained court orders desegregating the bowling alley and the Orangeburg hospital, another focal point of unrest.

Due Process Issue

The Government charged that the patrolmen fired into a group of Negroes to impose summary punishment, violating their rights against deprivation of live or liberty without due process of law. There is no Federal murder law to cover such charges and State officials have refused to make their own investigation of the episode.

The patrolmen charged were Henry M. Addy, 39; Norwood F. Bellamy, 51; John W. Brown, 33; Joseph H. Lanier, 34; Colie Merle Metts, 37; Edward H. Moore, 32; Allen J. Russell, 26; Jesse A. Spell, 47; and Sidney C. Taylor, 45.